

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

*

*

CRIMINAL NO. SAG-24-174

*

ROBERT KROP,
Defendant.

*

...ooo0ooo...

DEFENDANT'S MOTION FOR SHOW CAUSE ORDER AS TO CONTEMPT

Defendant Robert Krop, by and through his undersigned counsel, Daniel Lewis Cox, The Cox Law Center, LLC, hereby moves this Honorable Court, for the issuance of a SHOW CAUSE order to the prosecution herein, requiring they show cause as to why they may not be held in contempt of court for violation of this Court's Orders, and for cause in support thereof says:

1. On May 3, 2024 Mr. Krop argued his motion to dismiss before this Court for prosecutorial violations of his Speedy Trial rights, and this Court granted the same. In that Order (ECF 120), this Court allowed the prosecution three weeks to refile any indictment, which the prosecution did not protest or object to at the close of the hearing.
2. Nearly three weeks went by without any action in the case.
3. On May 21, 2024, nearly three weeks later, Mr. Cunningham for the prosecution filed a late-afternoon frivolous, informal letter with this Court requesting an extension of time for reindictment. Having already had over a year of Speedy Trial violations by the prosecution, Mr. Cunningham's last-minute actions shocked and caused extreme anxiety in Mr. Krop.
4. On May 24, 2024, after hearing opposition from Mr. Krop, the Court rightly denied the frivolous letter extension request. The prosecution therefore had until midnight that day to file a reindictment of Mr. Krop. With Mr. Krop's emotional distress over the matter at its

height because of waiting anxiously for the government to comply by 11:59 p.m. that day, he was greatly relieved when it failed to do so.

5. Mr. Krop relied factually, legally and emotionally on the Court's finality ruling in his case, and he and his family cried, rejoiced, prayed, cried some more, and celebrated with their four small children by going to local community events and embracing their freedom together. Over a week of happiness and family joy ensued after midnight on May 24, 2024, with the celebration of justice being done and Mr. Krop being a free man to work, play and support his family and community as he has always sought to do.
6. Unfortunately for Mr. Krop, he had no knowledge or even remote consideration that the government planned and intended to violate the Court Orders and reindict him anyway the following week after he had celebrated the end of his case under the Court's indisputably clear dismissal and denial of time for reindictment orders.
7. In total shock and disbelief, Mr. Krop was then reindicted by grand jury presentation and signature of Mr. Cunningham (signing for the United States Attorney Erek Baron) on or about May 29, 2024, not being informed of the same until on or about June 3, 2024.
8. This caused an egregious and serious emotional roller coaster for Mr. Krop. He could not eat or sleep for approximately 48 hours after this reindictment. Was he to ever trust Court Orders protecting him again? Was he ever to see a time when his family would be free from false charges and improper prosecutorial misconduct? Would he become financially ruined by the pretended superiority of the executive branch prosecutors who mocked the judicial branch orders? These and more questions have swirled through his mind and remain outstanding.

9. The interests of justice mandate that this Court uphold its rule of law and hold Mr. Cunningham, and any other prosecutor shown to aid and abet his contemptuous actions in this matter, in contempt.

10. An order to show cause and hearing is requested to be set in forthwith to order the prosecution in this case to show cause why the prosecution in this matter may not be held in contempt for directly violating the Orders in SAG-23-0123 (ECF 120, 127) and filing a reindictment of Mr. Krop after May 24, 2024 when the Court forbade the same.

WHEREFORE, the defendant requests this Court to issue a SHOW CAUSE ORDER to the prosecutors for the government, Mr. Cunningham, Esq., Mr. Erek Baron, Esq., and any other prosecutors who have entered their appearance in the instant matter, to appear at a hearing, date and time to be determined by the Court, and SHOW CAUSE why they may not be held in contempt, and that this Court order the Clerk of Court to serve the same notice upon the said prosecutors.

Respectfully submitted,

/s/
Daniel L. Cox, Federal Bar no.: 28245
THE COX LAW CENTER, LLC
P.O. Box 545
Emmitsburg, MD 21727
Telephone: 410-254-7000 (office)
Facsimile: 410-254-7220
Attorneys for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on June 27, 2024, a copy of the foregoing Motion for Show Cause Order was filed via ECF, which caused copies to be sent to all parties of record.

/s/
Daniel L. Cox